

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

VALERIE HICKS,)
)
Plaintiff,)
)
v.) Case No. 4:22 CV 167 CDP
)
)
MENARD, INC.,)
)
Defendant.)

AMENDED CASE MANAGEMENT ORDER

IT IS HEREBY ORDERED that the parties' Joint Motion to Amend the Scheduling Order [17] is **GRANTED**. Plaintiff's Motion to Modify Referral to Alternative Dispute Resolution [15] is **DENIED as moot**.

IT IS FURTHER ORDERED that the following schedule shall apply to the remaining proceedings in this case, and will be modified only upon a showing of exceptional circumstances:

I. SCHEDULING PLAN

1. The remaining discovery matters shall proceed as follows:

(a) Defendant shall make expert witnesses available for depositions, and have depositions completed, no later than October 7, 2022.

(b) The presumptive limits of ten (10) depositions per side as set forth in Rule 30(a)(2)(A), Fed. R. Civ. P., and twenty-five (25) interrogatories per party as set forth in Rule 33(a), Fed. R. Civ. P., continue to apply.

(c) The parties shall complete all discovery in this case no later than November 30, 2022.

(d) Motions to compel shall be pursued in a diligent and timely manner, but in no event filed more than seven (7) days following the discovery deadline set out above.

2. This case remains referred to alternative dispute resolution and that reference shall terminate on November 30, 2022. Not later than October 21, 2022, lead counsel **Joseph A. Ott** shall notify the clerk of the agreed choice of neutral selected by the parties and the date, time and location of the initial ADR Conference (see Designation of Neutral/ADR Conference Report form, <www.moed.uscourts.gov>, ADR, forms). In all other respects, the Order Referring Case to Alternative Dispute Resolution filed March 18, 2022 (ECF 13) remains in full force and effect.

3. Any motions to dismiss, motions for summary judgment, motions for judgment on the pleadings, or any motions to limit or exclude expert testimony must be filed no later than December 7, 2022. Opposition briefs shall be filed no later than thirty (30) days after the motion or January 6, 2023, whichever is earlier. Any reply brief may be filed no later than ten (10) days following the response brief or January 17, 2023, whichever is earlier.

II. ORDER RELATING TO TRIAL

This action is removed from the trial docket of Monday, March 13, 2023, and is **RESET** for **JURY** trial on Monday, June 5, 2023, at 8:30 a.m. This is a two-week docket.

In all other respects, the Order Relating to Trial set out in the Case Management Order filed March 18, 2022 (ECF 12) remains in full force and effect.

Failure to comply with any part of this Amended Case Management Order may result in the imposition of sanctions.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 28th day of September, 2022.